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COMMITTEE ON NON-GOVERNMENTAL
ORGANIZATIONS
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Item 5 of the provisional agenda

REVIEW OF FUTURE ACTIVITIES

Annual informal consultation between the Committee on Non-Governmental Organizations and the non-governmental organizations in consultative status

Note by the Secretariat

1. The Committee on Non-Governmental Organizations at its session in 1987 agreed that an annual informal consultation should be held by the Committee with non-governmental organizations (E/1987/32, para. 55).

2. The Annual Informal Consultation decided that a paper reflecting its discussions would be prepared by the Non-Governmental Organizations Unit of the Department of International Economic and Social Affairs and would be discussed by the Committee on Non-Governmental Organizations at its session in 1991 under the agenda item "Review of future activities".

3. The Consultation was convened in New York on 3 May 1990 by the Chairman of the Committee on Non-Governmental Organizations, Ambassador Annie Marie Sundbom of Sweden. She noted that the Consultation had been organized by the Non-Governmental Organizations Unit of the Department of International Economic and Social Affairs pursuant to a decision taken by the Committee on Non-Governmental Organizations at its session in 1987 and that the topics had been agreed on through consultations between the Bureau of the Committee and the Working Group on the Committee on Non-Governmental Organizations of the Conference of Non-Governmental Organizations in Consultative Status with the Economic and Social Council (CONGO). The topics were as follows:

(a) Extension of the consultative relationship to the General Assembly (including the question of participation of non-governmental organizations in consultative status in special sessions of the General Assembly);

(b) Participation of non-governmental organizations in consultative status in United Nations conferences;

(c) Protection of the privileges arising from the consultative status;

(d) Servicing of non-governmental organizations in consultative status by the United Nations Secretariat, in particular the Non-Governmental Organizations Unit, in the light of Economic and Social Council resolution 1296 (XLIV);

(e) Other matters.

A. General comments

4. The members of the Committee on Non-Governmental Organizations stressed the increasing importance of the role and contributions of the non-governmental organizations in consultative status to the activities of the United Nations and called for strengthened collaboration. They noted that those organizations should utilize to the fullest extent the possibilities offered by their consultative status for participation in the Economic and Social Council and its subsidiary bodies. Some members of the Committee noted that non-governmental organizations should respect the provisions of paragraph 36 (b) of Economic and Social Council resolution 1296 (XLIV) and refrain from abusing their consultative status "by systematically engaging in unsubstantiated or politically motivated acts against States Members of the United Nations contrary to and incompatible with the principles of the Charter", as such an abuse of the consultative status could jeopardize the current atmosphere of co-operation.

5. The non-governmental organizations in consultative status noted that they had become full partners on the international scene in an ever increasing number of issues of concern to the international community, most recently regarding the transition of Namibia to independence. The role and importance of non-governmental organizations was also recognized by intergovernmental organs, which addressed to them an increasing number of requests for contributions and co-operation. However, non-governmental organizations encountered increased obstacles and practical restrictions in the exercise of the consultative status. There was a discrepancy between the role expected from the non-governmental organizations and the responsiveness of the Secretariat as a whole.

6. The non-governmental organizations noted the positive relationship and collaboration they had with the Committee on Non-Governmental Organizations and paid tribute to its Chairman for her great interest and invaluable support regarding their activities. They also noted the positive working relationship established with the Inter-Departmental Working Group on Non-Governmental Organizations matters. Appreciation was expressed at the quality of services rendered by the offices dealing with those organizations in New York and Geneva, while the inadequacy of their resources was deplored.

B. Comments on the topics on the agenda

(a) Extension of the consultative relationship to the General Assembly (including the question of participation of non-governmental organizations in consultative status in special sessions of the General Assembly)

7. As increasing numbers of items were discussed directly in the General Assembly without prior consideration by the Economic and Social Council, there was a need for modalities to ensure that the views of non-governmental organizations could be made known and their contributions channelled to the General Assembly. The organization stated that there was no legal impediment to the participation of non-governmental organizations in consultative status in the General Assembly Main Committees at the invitation of the Main Committee concerned. Therefore such organizations should be allowed to use this opportunity, and to make oral statements as had been done in some instances in the past. Organizations should also be authorized to submit written statements, which would be made available in the quantity and languages provided by the organization concerned. In this regard it was noted that this possibility had been granted in some instances but had been denied in other cases, and there was a lack of uniformity in practice. Regarding the special session on economic co-operation, it was noted that the General Assembly had recognized the role of organizations in consultative status when it decided that a representative of one non-governmental organization in consultative status could make an oral statement in the Ad Hoc Committee of the Whole. The decision however was not entirely satisfactory, since it was impossible for a single non-governmental organization to speak on behalf of all and reflect the diversity of their views. A representative of CONGO who had addressed the Ad Hoc Committee of the Whole had referred to this point.

8. It was noted that the non-governmental organizations Unit should be consulted in connection with proposals regarding the participation of non-governmental organizations in consultative status in special sessions.

9. The Chairman of the Inter-Departmental Working Group suggested that non-governmental organizations in consultative status could, in the case of future special sessions, formulate recommendations, which would be transmitted to the Secretary of the Committee concerned through the Under-Secretary-General for General Assembly Affairs.

10. Members of the Committee on Non-Governmental Organizations drew attention to the practical limitations and the time constraints of special sessions.

(b) Participation of non-governmental organizations in consultative status in United Nations conferences

11. The non-governmental organizations stressed the importance of respecting precedents regarding modalities for the participation of organizations in consultative status in United Nations conferences and of bringing information on those precedents to the attention of relevant Secretariat officials. The proposal

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submitted by the Secretariat to the Preparatory Committee for the United Nations Conference on Environment and Development, to be held in 1992, had failed to recognize the distinction between the non-governmental organizations in consultative status and other entities, although General Assembly resolution 44/228 had clearly established this distinction in section II, paragraphs 11 and 12. The proposal by the Secretariat had not been adopted by the Preparatory Committee. New proposals were to be submitted by the Secretariat to the Preparatory Committee at its next session in Nairobi, and measures should be taken to ensure that those proposals clearly recognized the rights of all organizations in consultative status to participate in the preparatory process and in the Conference itself. In this connection, it was noted that the "Draft standard rules of procedure for United Nations conferences" contained provisions regarding the participation of non-governmental organizations. Those provisions could be submitted by the Committee on Non-Governmental Organizations to the Economic and Social Council which could recommend to the General Assembly their adoption as rules for future United Nations conferences.

12. The Committee on Non-Governmental Organizations, which granted the consultative status, should convey to all Member States the necessity for respecting the rights and privileges provided by the status and should caution against allowing the same privileges to other groups for which different arrangements could be found.

(c) Servicing of non-governmental organizations in consultative status by the United Nations Secretariat, in the light of Economic and Social Council resolution 1296 (XLIV)

13. Representatives of the non-governmental organizations drew attention to various examples of the practical obstacles they had encountered in the exercise of the consultative relationship.

(i) The Committee on the Status of Women at its recent session in Vienna had decided to meet in plenary and in a committee of the whole. The non-governmental organizations had been totally denied access to the Committee of the Whole and no erplanation had been provided by the Secretariat;

(ii) In Geneva, practical restrictions were imposed on the organizations through the imposition of financial fees for the provision of services and conference facilities to which they were entitled under Economic and Social Council resolution 1296 (XLIV), part X, para. 46 (e);

(iii) Officers of the Security Services at various duty stations should be made fully aware of the rights of accredited representatives of non-governmental organizations in consultative status.

(d) Other matters

14. Representives of the non-governmental organizations expressed the hope that the proposed enlargement of the Commission on Human Rights would not give rise to measures curtailing in practice the rights of organizations in consultative status to participate in the Commission under Economic and Social Council resolution 1296 (XLIV).

C. Conclusion

15. There was general agreement as to the importance and usefulness of the Annual Consultation which provided an opportunity for dialogue and contacts as well as a forum for Governments and non-governmental organizations in consultative status to express their respective concerns.

16. The participants also agreed on the need for closer and more frequent contacts and co-operation between the Committee and the organizations as an ongoing process, which should develop between the biennial sessions of the Committee. In this connection, it was suggested that the Bureau of the Committee should consider meeting with representatives of the organizations on an ad hoc basis on matters of urgency.

17. The participants noted the desire expressed by the organizations in consultative status to see the Committee on Non-Governmental Organizations assume a supportive role of their efforts to contribute to the activities of the United Nations and become their main partner in their relationship with the United Nations as well as the custodian of the privileges and obligations arising from the consultative status which the Committee itself granted to them.

18. Co-ordination within the United Nations should be improved in order to remedy the present situation where different criteria and treatment for non-governmental organizations were applied by different parts of the Secretariat. The lack of uniformity resulted in impredictability which greatly impaired the ability of those organizations to plan their activities.

19. The meeting decided that:

(a) A paper reflecting the discussions at the Consultation would be prepared by the Non-Governmental Organizations Unit and would be discussed by the Committee on Non-Governmental Organizations at its session in 1991 under the agenda item "Review of future activities";

(b) The results of the Consultation would be transmitted through the Non-Governmental Organizations Unit to the Inter-Departmental Working Group on Non-Governmental Organizations for appropriate action, where relevant, by the United Nations Secretariat in New York, Geneva, Vienna and other duty stations.